

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARSHALL GILLMORE :
Plaintiff,

v. :

MARIROSA LAMAS, Superintendent, SCI
Chester; LORIE EASON, Security Captain, :
SCI Chester; DAVID FRIEND, Lieutenant, :
SCI Chester; NEECE, Captain, SCI Chester; :
B. ADAMS, Lieutenant, SCI Chester; :
A. WHITE, Lieutenant, SCI Chester;
C. KAISER, Lieutenant, SCI Chester;
K. KAISER, Lieutenant, SCI Chester; :
C. DUNLAP, Sergeant, SCI Chester;
B. GREEN, Registered Nurse, SCI Chester; and,
P. BOCCO, Lieutenant, SCI Chester :
Defendants.

CIVIL ACTION
NO. 19-5571

ORDER

AND NOW, this 10th day of December 2021, upon consideration of Commonwealth
Defendants' Partial Motion to Dismiss (ECF No. 27) and Plaintiff's Response thereto (ECF No.
31), it is hereby ORDERED as follows:

- (1) In accordance with this Court's accompanying Opinion, Defendants' Motion is GRANTED as to Counts III and VII, as well as to Plaintiff's request for declaratory judgment;
- (2) Defendants' Motion is DENIED as to Counts II, IV and V; and,
- (3) On or before January 7, 2022, Moving Defendants shall file an Answer to Plaintiff's Second Amended Complaint.

BY THE COURT:

/s/ C. Darnell Jones, II